So this program which is tried, true, tested and part of the landscape, is about to expire. Again, to sum up, continuation of it continues what we have got. We have agreed, I have agreed with the gentlewoman to take a look at how we reform it in ways that respond to her concerns. But I am just so pleased that she has agreed to move this forward, and also pleased with the working relationship she has with Chairman HOSTETTLER.

So, at this point in his congressional career, he instilled a sense that this come to the floor for a conclusion. Good for you, madam, gentlewoman, SHEILA JACKSON LEE, and good for you, Chairman HOSTETTLER. This is one rule America sorely needs. We thank you for it.

Mr. Speaker, I rise today in support of H.R. 4997, the Physicians for Underserved Areas Act, which helps to address the physician shortage in rural areas across America.

H.R. 4997 reauthorizes for two years the Conrad 30 program. This program, which was established by fellow North Dakotan, Senator KENT CONRAD, allows graduates of foreign medical schools who complete their training in the United States on a J–I cultural exchange visa to remain in the U.S. for three years if they agree to serve in a medically underserved community.

Many of these medically underserved communities are in rural areas. In fact, only about ten percent of physicians practice in rural America despite the fact that nearly one-fourth of the population lives in rural areas. In my own state of North Dakota, eighty-one percent of North Dakota's counties are designated as health professional shortage areas, or HPSAs.

In communities like Crosby and Tioga, North Dakota, the J–I visa waiver physicians pool serves as the primary resource to meet rural clinics and hospitals physician needs. For example, Dr. Ivan Tsutskiridze, serves Crosby, North Dakota, under the Conrad 30 program and is the communities' sole physician. Prior to the creation of the program, Crosby and other communities were chasing physicians. In fact, since 1994, this program has cut in half the number of family practice physician vacancies in North Dakota.

The importance of this program is evident. Last year alone, over 6,000 physicians participated in the J–I waiver program and it is heavily relied upon by a majority of the states. However, its need for reauthorization remains as the physician shortage in this country is projected to reach 200,000 by 2020. That is why I am pleased to see this bill before the House today to reauthorize this important program that has provided many rural areas with capable, much-needed physicians.

I would like to thank the people who have worked to bring this bill to the floor today, especially Representative JOHN HOSTETTLER, Representative SHEILA JACKSON-LEE and Representative JERRY MORAN. This bill makes a real difference for medically underserved areas across the United States and in North Dakota. I urge a "yes" vote on H.R. 4997.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I would like to add my appreciation to all of the staff, majority and minority, who helped in the waning hours of this particular Congress, the 109th Congress, to help move this bill to suspension and to help move it forward. And I do thank Kristen Wells and Nolan Rappaport for their excellent cooperation and work on the minority staff in generating what I think is an important extension for doctors across America.

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of H.R. 4997, the Physicians for Underserved Areas Act. This bill will permanently authorize the J–1 visa waiver program, allowing foreign physicians certain visa waivers in exchange for their service in medically underserved areas within the United States including the territories. A recent study conducted by the Government Accountability Office (GAO) attributed the J–1 visa waivers as a major means through which communities have successfully placed physicians in underserved areas.

The J–1 visa waiver program, since its inception in 1994, has brought physicians from areas around the world to the United States to improve access to primary medical care for individuals in underserved communities. Every year, nearly 1,000 requests for J–1 visa waivers are submitted, which is a testament to this program's popularity and effectiveness among U.S. medical schools and medically underserved communities.

As the representative from Guam, I know first-hand the challenges rural and medically underserved areas face. For instance, there is no oncologist on the island of Guam today. Cancer patients must travel to Hawaii to receive treatment. Because of the J–1 visa waiver program, however, the Government of Guam was able to apply for J–1 visa waivers for two physicians in 2005.

The Physicians for Underserved Areas Act, by making this program permanent, will go far toward helping medically underserved areas like the one I represent. Healthcare is a national priority, and as legislators, we are tasked with doing all that we can at the federal level to ensure that adequate medical care is available to all and that medical professionals can be recruited to serve medically underserved communities.

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4997, as amended.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A bill to extend for 2 years the authority to grant waivers of the foreign country residence requirement with respect to certain international medical graduates.".

A motion to reconsider was laid on the table.

RELIGIOUS LIBERTY AND CHARITABLE DONATION CLARIFICATION ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 4044) to clarify the treatment of certain charitable contributions under title 11, United States Code.

The Clerk read as follows:

S. 4044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Religious Liberty and Charitable Donation Clarification Act of 2006".

SEC. 2. TREATMENT OF CERTAIN CONTRIBUTIONS IN BANKRUPTCY.

Section 1325(b)(3) of title 11, United States Code, is amended by inserting ", other than subparagraph (A)(ii) of paragraph (2)," after "paragraph (2)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on Senate 4044 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 4044, the Religious Liberty and Charitable Donation Clarification Act of 2006.

During the 105th Congress the Religious Liberty and Charitable Donation Protection Act of 1998 was signed into law by President Clinton. This bipartisan measure, introduced by Senator HATCH, sought to protect the rights of debtors to continue to make religious and charitable contributions after they filed for bankruptcy relief. In addition, the act protects religious and charitable organizations from having to turn over to bankruptcy trustees donations these organizations received from individuals who subsequently filed for bankruptcy relief.

As many of you will recall, a major overhaul of the Bankruptcy Code was enacted last year as the Bankruptcy Abuse Prevention and Consumer Protection Act. The clear intent of that act was not to disturb the rights of debtors to continue to make charitable contributions or to tithe pursuant to the 1998 act. Nonetheless, at least one court has construed Bankruptcy Code section 1325, amended by the 2005 act, to prohibit chapter 13 debtors with above-median incomes from making charitable contributions or tithing.

To address this judicial confusion, this bill simply clarifies that a chapter 13 debtor who is subject to section 1325(b)(3) of the Bankruptcy Code, may make charitable contributions or tithe to the same extent determined in accordance with Bankruptcy Code section 1325(b)(2)(A)(ii).

S. 4044 is a bipartisan measure that makes good sense. Donations are used by religious or charitable organizations to fund valuable services to society which serve the common good. This principle, for example, is recognized in the Internal Revenue Code's provisions concerning the deductibility of certain charitable contributions. Individuals who, for religious or other reasons, wish to donate to such organizations, even if they are in bankruptcy themselves, should not be deprived of this right.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume. And I am pleased to rise in support of the Religious Liberty and Charitable Donations Act of 2006.

This, ladies and gentlemen, is a continuation of an effort we began in 1997 when Congress responded to cases holding that pre-petition tithes and other charitable contributions could be deemed to be fraudulent transfers, and that the trustee could recoup these tithes from the religious institutions receiving the donations.

We all agreed that this was a clearly perverse result, and to clarify the law we passed the measure, Religious Liberty and Charitable Donation Protection Act of 1998.

Then a funny thing happened. This Congress forgot about the value of religious charity embodied in that legislation. Instead, forsaking the biblical injunction to forgive debts and deal generously with the poor, this Congress became a registered agent for the credit card industry.

How?

Well, it is because of the aggressive overreaching of the lending industry and a Congress willing to write into law any scrap of paper handed to it by large financial institutions that we have come to this point today. The decision in the Diagostino case relied solely on the text of the law Congress passed. It restricts a debtor in chapter 13, with current monthly income above the State median, to the narrow strictures of the means test which relies on what the IRS says a person needs to live on.

We debated the reliance on IRS guidelines to determine what a family needs to survive. We were all told not to worry, the IRS knows best and will provide all. Well, almost all.

It turns out that when you owe the IRS money, they don't want you making donations to your house of worship or to charity. And the IRS rule became a part of the Bankruptcy Code because Members of this House voted to give IRS bureaucrats that power.

We had managed to get a statutory allowance for tithing in the means test and in chapter 13, but the final language pushed through by the sponsors and the credit card industry did an end run around these provisions.

And that is how we got here. And I am glad that there is a will to fix it. This bill will allow chapter 13 debtors to tithe in their plans on the same basis as provided in the section 1325(b)(2)(A)(ii).

Keep in mind that while we are fixing the law for tithes and other charitable donations, basic problems in the law remain unchanged.

By wiping out the allowable expenses in chapter 13 for debtors with an income above the State median and replacing them with rigid IRS-based means tests, the new law still leaves families and small businesses at the tender mercies of the IRS. What else will we find was left out?

When the new law was being considered, Members were assured that the IRS guidelines would provide the right answer in all cases. And as we have discovered, that hasn't worked out as well as the credit card industry said it would.

This bill is supported by the United Way, the Red Cross, the National Council of Churches, Interfaith Alliance, the United Church of Christ, the National Baptist Churches USA, and the African Methodist Episcopal Church and others. I am pleased to urge all Members to support it.

But Members are fooling themselves if they think this is a discrete problem in a law that one proponent has described as perfect and that the sponsors told us was so well drafted that no amendments could even be considered.

The hubris has hurt real Americans and it will again.

Let's fix this mistake. It is the right thing to do, but we had better get used to doing it. The new Code is a disaster, the natural consequence of subcontracting work out of the Congress to lobbyists, which I am sure will be coming to an end very shortly.

I urge the passage of this legislation. I congratulate the chairman of the committee for bringing this matter to our attention.

□ 1530

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, just very briefly, bringing this bill up in passing shows that the U.S. House of Representatives on a bipartisan basis has a much bigger heart than the Internal Revenue Service. Some people may have doubted that in the past. We are here to show them that they are wrong.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 4044.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

VESSEL HULL DESIGN PROTECTION AMENDMENTS OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1785) to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the distinction between a hull and a deck, to provide factors for the determination of the protectability of a revised design, to provide guidance for assessments of substantial similarity, and for other purposes, as amended.

The Clerk read as follows:

S. 1785

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—VESSEL HULL DESIGN PROTECTION

Sec. 101. Short title.
Sec. 102. Designs protected.
Sec. 103. Definitions.

TITLE II—INTELLECTUAL PROPERTY PROVISIONS

Sec. 201. Sense of Congress relating to Bayh-Dole Act.
Sec. 202. Filing of applications for extensions of a patent term.

TITLE I—VESSEL HULL DESIGN PROTECTION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Vessel Hull Design Protection Amendments of 2006''.

SEC. 102. DESIGNS PROTECTED.

Section 1301(a) of title 17, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) VESSEL FEATURES.—The design of a vessel hull or deck, including a plug or mold, is subject to protection under this chapter, notwithstanding section 1302(4).''.

SEC. 103. DEFINITIONS.

Section 1301(b) of title 17, United States Code, is amended—

(1) in paragraph (2), by striking ''vessel hull, including a plug or mold,'' and inserting ''vessel hull or deck, including a plug or mold,'';

(2) by striking paragraph (4) and inserting the following:

''(4) A 'hull' is the exterior frame or body of a vessel, exclusive of the deck, superstructure, masts, sails, yards, rigging, hardware, fixtures, and other attachments.''; and

(3) by adding at the end the following:

''(7) A 'deck' is the horizontal surface of a vessel that covers the hull, including exterior cabin and cockpit surfaces, and exclusive of masts, sails, yards, rigging, hardware, fixtures, and other attachments.''.